

REMARKS

Claims 15-29 are pending. This response addresses the final rejection of independent claim 15, from which all other claims in the application depend. It is urged that the application should be allowed because of clear deficiencies in the rejection of claim 15.

At the outset, applicant respectfully disagrees with the Examiner's stated position at page 2, paragraph 2, of the office action and urges that the argument does no more than state what had been previously stated in the non-final office action, i.e., that, supposedly, Jonsson '385 "discloses a desired flatness of the strip via a model ...".

The cited reference to col. 3, lines 5-8 and lines 31-34, does not support the disclosure of applicant's step of:

"determining a desired flatness of the strip via a material flow model ..."

because none of that disclosure relates to a model. Further, even if the Examiner were able to legitimately construe disclosure of a model for a "Flatness Target", such is not the same as a "material flow model" which is what is claimed. The final rejection is simply not responsive to this deficiency and appears to side step the requirement for finding all of claimed elements in the cited prior art.

Second, the prior art fails to meet the claimed requirement for

"a strip shape model providing a relationship between intrinsic flatness ip and visible flatness vp "

which controls "a roll stand of the mill train ..." In this regard, the rejection cites Jonsson '358 at col. 4, lines 13-17 and 26-29, none of which disclose anything about intrinsic flatness. Rather, the disclosure appears, at best, to relate a flatness target (OMFT) to a flatness error (PRFE).

For at least these reasons the rejection is in error. Further, given these differences between the claimed invention and the prior art, it is also incumbent upon the Examiner to explain how and why it is believed that a rejection can be sustained when these deficiencies exist. For example, if the Examiner has taken a broader reading of the claim language than intended by the applicant, then the Examiner must explain how the language is being construed

in order to reject the claim. Otherwise the applicant is not able to respond by amending the claim or by presenting further argument in support of allowance.

In view of the above deficiencies the Examiner is requested to either allow the application or provide a complete response to the above argument.

Conclusion

For the foregoing reasons, it is respectfully submitted that the final rejection is in error. Also, the Examiner has failed to explain how and why the prior art is being interpreted by the Examiner to reject independent claim 15. Absent such, the Examiner has not properly supported the rejection.

Accordingly, Applicant respectfully requests that the Examiner remove the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: November 30, 2010

By: Tina Gonka
Tina Gonka
Limited Recognition No. L0623
(407) 736-4005

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830